

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

CONTROL NEW MLSS LLC, et al., )  
                                       )  
Plaintiffs,                         )  
                                       )  
v.                                     )    No. 4:21 CV 1522 CDP  
                                       )  
                                       )  
BRIAN TIMPONE, et al.,             )  
                                       )  
Defendants.                         )

## **ORDER**

In response to my show cause order of May 5, 2022, plaintiffs averred that they failed to serve process on the unserved defendants because they were uncertain whether the summons that they filed with their original complaint on December 31, 2021, were sufficient to effectuate service of process after they amended their complaint on February 1, 2022. They claim that they attempted to contact the Court to clarify the issue on April 30, 2022, two days before the service of process deadline. Plaintiffs ask for an additional 30 days to properly effectuate service. I will grant their request. Plaintiffs' counsel is reminded, however, that neither the Court nor the Court's clerks can provide legal advice; calling the Court to ask whether counsel has complied with the Federal Rules of Civil Procedure is not appropriate.

Accordingly,

**IT IS HEREBY ORDERED** that not later than June 6, 2022, plaintiffs shall effectuate proper service of summons and the amended complaint upon any unserved defendant in this action. Failure to timely effect proper service will result in the dismissal

without prejudice of plaintiff's claims as to any unserved defendant.

  
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CATHERINE D. PERRY  
UNITED STATES DISTRICT JUDGE

Dated this 13th day of May, 2022.